

IN THE UNITED STATES DISTRICT COURT FOR
THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

**ORDER GRANTING IN PART, DENYING IN PART, AND TAKING
UNDER ADVISEMENT IN PART MVP'S MOTION TO COMPEL PRODUCTION BY
KAY LEIGH FERGUSON**

On November 8, 2021, the court held a hearing on Mountain Valley Pipeline's (MVP) motion to compel production by Kay Leigh Ferguson.

For the reasons stated on the record at the hearing, it is HEREBY ORDERED that MVP's motion to compel production by Kay Leigh Ferguson (Dkt. No. 1498) is GRANTED IN PART, DENIED IN PART, and TAKEN UNDER ADVISEMENT IN PART, as follows:

1. The motion is granted in part in that Ferguson is ordered to produce the following documents to MVP within fourteen days of the date of this order:

a. All text messages sent by you or received by you from August 1, 2021, through and including August 15, 2021, relating to blasting or other work on the MVP project on the John Coles Terry property;

- b. All text messages sent by you or received by you from August 1, 2021, through and including August 15, 2021, relating to protesting of or the stopping of blasting on the MVP project on the John Coles Terry property;
- c. All Facebook communications sent by you or received by you from August 1, 2021, through and including August 15, 2021, relating to blasting or other work on the MVP project on the John Coles Terry property;
- d. All Facebook communications sent by you or received by you from August 1, 2021, through and including August 15, 2021, relating to protesting of or the stopping of blasting on the MVP project on the John Coles Terry property;
- e. All other electronic communications sent by you or received by you from August 1, 2021, through and including August 15, 2021, relating to blasting or other work on the MVP project on the John Coles Terry property;
- f. All other electronic communications sent by you or received by you from August 1, 2021, through and including August 15, 2021, relating to protesting of or the stopping of blasting on the MVP project on the John Coles Terry property;
- g. All written communications sent by you or received by you from August 1, 2021, through and including August 15, 2021, relating to blasting or other work on the MVP project on the John Coles Terry property;
- h. All written communications sent by you or received by you from August 1, 2021, through and including August 15, 2021, relating to protesting of or the stopping of blasting on the MVP project on the John Coles Terry property;
- i. All photographs or videos relating to blasting or other work on the MVP project on the John Coles Terry property on August 10, 11, or 12, 2021;

j. All photographs or videos relating to the protesting of or the stopping of blasting on the MVP project on the John Coles Terry property on August 10, 11, or 12; and

j. All other written or electronic documents identifying persons on the John Coles Terry property on August 11, 2021.

2. The motion is taken under advisement in part regarding MVP requests for documents about the Facebook pages “Water Is Life. Protect It” and “Appalachians Against Pipelines” pending MVP’s supplementation, on or before November 12, 2021, to show the relevancy of these requests to the underlying motion.

3. The motion is denied in part to the extent not addressed otherwise in this order.

The Clerk is directed to provide a copy of this order to counsel for Ferguson and Mountain Valley Pipeline.

Entered: November 9, 2021.

/s/ Elizabeth K. Dillon
Elizabeth K. Dillon
United States District Judge